

The Provincial Statutes of Canada, passed in the year 1841. Kingston: Stewart Derbishire & George Desbarats, 1841.

4 & 5 Victoria – Chapter 88

An Act to regulate the Inspection of Beef and Pork.

18th September, 1841.—Presented for Her Majesty's Assent and reserved for "the signification of Her Majesty's pleasure thereon."

19th March, 1842.—The Royal Assent signified by the Proclamation of His Excellency Sir Charles Bagot, Governor General.

Whereas it is expedient that the regulations now in force in those parts of the Province formerly called Lower Canada and Upper Canada, respectively, with regard to the Curing, Packing and Inspection of Beef and Pork, should be consolidated—that one uniform Law should be enacted for the whole Province of Canada, and that the Inspection of the articles aforesaid, intended for exportation, should cease to be compulsory, but should be optional to the parties interested: Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and of the Legislative Assembly of the Province of Canada, constituted and assembled by virtue of and under the authority of an Act passed in the Parliament of the United Kingdom of Great Britain and Ireland, intituled *An Act to Re-unite the Provinces of Upper and Lower Canada, and for the Government of Canada*, and it is hereby enacted by the authority of the same, that a certain Act of the Legislature of the late Province of Lower Canada, passed in the forty fourth year of the Reign of His late Majesty King George the Third, and intituled *An Act to regulate the Curing, Packing and Inspecting of Beef and Pork to be exported from the Province of Lower Canada*, and the Ordinance of the Legislature of the said late Province, passed in the second year of Her Majesty's Reign, and intituled *An Ordinance to regulate the Curing, Packing and inspection of Beef and Pork intended for exportation*, suspending the said Act, and also an Act of the Legislature of the late Province of Upper Canada, passed in the forty fifth year of the Reign of his said late Majesty King George the Third, and intituled *An Act to regulate the Curing, Packing and Inspection of Beef and Pork*, and also an Act of the said Legislature, passed in the third year of the Reign of Her present Majesty, and intituled *An Act to alter and amend an Act passed in the forty fifth year of the Reign, of His late Majesty King George the Third, intituled 'An Act to regulate the Packing, Curing and Inspection of Beef and Pork,'* and all other Acts or parts of any Acts relating in any manner to the Packing, Curing or Inspecting of Beef and Pork, or the remuneration of the Inspectors thereof, immediately before the passing of this Act in force in this Province, or in any part thereof, shall be and each of them, and every part thereof is hereby repealed; and all and every the powers vested by them or any of them, or under any authority conferred by them or any of them, in any person or persons whomsoever, shall cease and determine.

II. And be it enacted, that from and after the passing of this Act, it shall be lawful for the Board of Trade in the Cities of Quebec, Montreal and Toronto, and in the Town of Kingston, respectively, and for the Municipal authorities in other places where Inspectors may be required for the purposes of this Act, to appoint a Board of Examiners of applicants for the office of Inspector of

Beef and Pork, and from time to time to remove such Examiners and appoint others in their stead; and such Board of Examiners shall in the Cities of Quebec and Montreal, respectively, consist of five, and in other places of three fit, proper and skilful persons, resident in the place or in the immediate vicinity of the place for which they are respectively to act; and such Examiners shall before acting as such, severally take and subscribe the following oath, before any one of Her Majesty's Justices assisted to keep the Peace within the District in which such Examiners shall respectively reside, and such Justice is hereby required and authorized to administer the same: "I, A. B. do swear, that I will not, directly or indirectly, personally or by means of any person or persons in my behalf, receive any fee, reward or gratuity whatever by reason of any function of my office of Examiner, and that I will therein, well and truly in all things, act without partiality, favor or affection and to the best of my knowledge and understanding. So help me God."

III. And be it enacted, that the Mayor of the said City of Quebec, Montreal or Toronto, or of the Town of Kingston, respectively, for the time being, and the Warden or chief municipal Officer of any other place as aforesaid for the time being, shall and may, from time to time, by an instrument under his hand and the seal of the Corporation, nominate and appoint an Inspector of Beef and Pork for each of the said Cities, Town, or other places as aforesaid, and may from time to time, remove any such Inspector and appoint another in his stead; but no person shall be appointed as such Inspector who shall not previously to his appointment as such, have undergone an Examination before the Board of Examiners for the place for which he shall be so appointed, as to fitness, character and capacity in the manner hereinafter provided; nor shall any person be so appointed as Inspector of Beef and Pork, unless approved of and recommended as such by the Board of Examiners, or a majority of them, pursuant to such examination; nor in any place in which there shall be a Board of Trade, except on the requisition of such Board, with which the Mayor or chief municipal Officer shall be bound to comply; and before any Inspector shall act as such, he shall furnish two good and sufficient sureties, jointly and severally with himself, for the due performance of the duties of his office, in the sum of five hundred pounds, currency, if such Inspector be appointed for the City of Quebec or for the City of Montreal, and in the sum of two hundred and fifty pounds, currency, if such Inspector be appointed for the City of Toronto, or for the Town of Kingston, or for any other place for which an Inspector may be appointed; and such sureties shall be approved by the Mayor, or Warden, or other chief municipal Authority by whom such Inspector shall have been appointed, and a Bond shall be executed to Her Majesty, her Heirs and Successors in the form used with regard to the sureties of persons appointed to offices of trust in this Province; and such Bond shall avail to the Crown and to all persons whomsoever who shall or may be aggrieved by any breach of the conditions thereof, and no such Inspector shall allow any person whomsoever to act for him about the duties of his office, excepting only his sworn assistant or assistants to be appointed in the manner hereinafter provided.

IV. And be it enacted, that the Bond or suretyship which shall be made or executed by such Inspector and his sureties, by virtue of this Act, shall be made and shall be kept at the office of the Clerk of the Corporation of the City or Town, or place for which such Inspector shall be appointed; and every person shall be entitled to have communication and copy of any such Bond or Suretyship at such Clerk's office upon payment of one shilling, currency, for each communication, and of two shillings and six pence, currency, for each copy.

V. Provided always and be it enacted, that the Board of Examiners to be constituted as aforesaid, shall be and they are hereby authorized and required, before proceeding to the Examination of any person who may be hereafter desirous of being appointed an Inspector of Beef and Pork as aforesaid, to require the attendance of two or more persons of the greatest experience and practice in the Packing, Curing and Inspection of Beef and Pork, or of the fullest knowledge of Beef and Pork as to quality and packing; and the said Board in their discretion are also hereby further authorized to permit any other person or persons to be also present at such examination; and each and every of the said persons so required or permitted to attend, may, in the presence of the said Board, propose questions to the person under examination, touching and respecting his knowledge as to quality, packing and curing of and other matters relating to, or connected with the Inspection of Beef and Pork.

VI. And be it enacted, that each person, examined, approved and recommended as aforesaid, shall, if appointed an Inspector of Beef and Pork, before he shall act as such, take and subscribe an oath before the Mayor, Warden or chief municipal Officer of the place for which he shall be appointed (which Mayor, Warden or chief municipal Officer is hereby required and authorized to administer the same,) in the words following, to wit: "I, A. B. do solemnly swear, that I will faithfully, truly and impartially, to the best of my judgment, skill and understanding, do and perform the office of an Inspector of Beef and Pork, according to the true intent and meaning of an Act of the Legislature of this Province, intituled '*An Act to regulate the Inspection of Beef and Pork,*' and that I will not, directly or indirectly, by myself or by any other person or persons whomsoever, trade or deal in Beef or Pork of any description, otherwise than for the use and consumption of my own family, during the time I shall continue such Inspector; and that I will not, directly or indirectly, brand or suffer to be branded any cask or half cask of Beef or Pork but such as shall be sound and good and of the quality designated by such brand, and with regard to which all the other requirements of the said Act shall have been complied with, to the best of my knowledge, So help me God." Which oath shall be recorded in the office of the Clerk of the Corporation of the City, Town, or place where the same shall be taken; and for recording such oath, and for a certificate thereof, the Clerk shall be entitled to demand and have the sum of two shillings and six pence, currency, and no more, and shall give communication of the original to any person who shall apply for the same, on payment of one shilling, currency, for each such communication, and two shillings and six pence for each Copy.

VII. Provided always and be it enacted, that any person who at the time this Act shall come into force shall hold the Office of Inspector of Beef and Pork for any place in this Province, shall on his application to that effect immediately after the said time be reappointed as Inspector under this Act by the Mayor or chief municipal Officer of the place in which he shall have acted as Inspector without any new examination or any intervention of the Board of Trade, anything in the foregoing Sections of this Act, to the contrary notwithstanding; but shall after such reappointment be removable and shall give security, and shall be bound by all the other provisions of this Act in the same manner as other Inspectors appointed under the authority thereof.

VIII. And be it enacted, that the Inspector of Beef and Pork for the City of Quebec, and the Inspector for the City of Montreal, shall and may appoint one or as many more Assistants as he shall, from time to time, be required to appoint by the Board of Trade of the City for which he is appointed, for the acts of which Assistants he shall be and is hereby declared to be responsible: and shall be bound to increase, the number of such Assistants from time to time, on a requisition in writing to that effect from the Board of Trade, and may diminish the same with the permission of the said Board; and each such Assistant shall be subject to the approval of the said Board of Examiners, and skilful persons sitting with them, in the manner hereinbefore provided for the examination of Inspectors, and before entering upon the duties of his office, shall furnish two good and sufficient sureties to Her Majesty, in the sum of two hundred and fifty pounds, currency, for the due performance, of his duties, by a Bond to be taken, made, recorded, kept and delivered in the manner provided with regard to the Bonds given by Inspectors; and shall take and subscribe the following Oath, before the Mayor of the City for which he shall be appointed, who is hereby authorized and required to administer the same: "I, A. B. do swear, that I will diligently, faithfully and impartially execute the office of Assistant to the Inspector of Beef and Pork for _____ according to the true intent and meaning of an Act of the Legislature of this Province, intituled '*An Act to regulate the inspection of Beef and Pork,*' and that I will not, directly or indirectly, personally or by means of any person or persons in my behalf, receive any fee, reward or gratuity whatever, by reason of my Office of Assistant to the said Inspector (except my salary from the said Inspector,) and that I will not, directly nor indirectly, trade in the articles of Beef or Pork, or be, in any manner, concerned in the purchase or sale of Beef and Pork, except so far as may be necessary for myself and family:—So help me God:" and such bond shall be in duplicate, and one part thereof shall be delivered to the Inspector and the other part thereof, as also the said Oath, shall remain in the office of the Corporation of the City in which the same shall be taken for the same purposes, and in all cases subject to the same regulations as to communication and copy, as is provided with regard to the Bond and Oath of the Inspector.

IX. And be it enacted, that the said Assistants shall respectively be paid by, and shall hold their offices at the pleasure of the Inspector, and may be removed or re-instated or others may be appointed in their stead by such Inspector.

X. And be it enacted, that the Inspectors and Assistant Inspectors so to be nominated and appointed are severally hereby authorized and required to cut up, salt, pack and cure, or if already packed, to unpack and examine throughout, adding salt, if necessary, and coopering up the same in the proper manner according to the requirements of this Act, each and every barrel or half barrel, tierce or half tierce or Beef and Pork submitted to them for Inspection: Provided always, that such Inspection may be made either at the store, shop or warehouse of such Inspector, (which he is hereby required to keep in a convenient situation for that purpose,) or at some store within the limits of the City, Town or Place for which he may have been appointed, at the option of the proprietor or possessor of such Beef or Pork, by whom it shall have been submitted for inspection.

XI. And be it enacted, that each Inspector and Assistant Inspector shall provide and have, as aforesaid, a sufficient number of iron or other metal brands for his use, wherewith he shall brand

or cause to be branded, immediately after inspection on each and every barrel or half barrel, tierce or half tierce of Beef or Pork, the words "Quebec," "Montreal," "Toronto" or "Kingston" or the name of the place for which he may be appointed, as the case may be, and the initial, of the Christian name, and the surname at full length of the Inspector, with the quality thereof as hereinafter directed; and each and every barrel or half barrel, tierce or half tierce of Pork or Beef, which may on inspection be found to be soft or still fed, although it may be in all other respects fat and of good quality, shall be branded by the Inspector or Assistant Inspector with the word "Soft" in letters as large as those upon the rest of the brand, in addition to the brand designating the quality; and in all cases where Beef and Pork shall be found to be of unsound and unmerchantable quality, arising from other causes, the Inspector or Assistant Inspector shall brand or cause the same to be branded with the word "Rejected" at full length and in plain legible characters: and in all cases where Beef or Pork may appear inferior to the mark of the packer or of any former Inspector, it shall be the duty of the Inspector or Assistant Inspector, and he is hereby authorized and required, to erase and correct the same; and the Inspector or Assistant Inspector shall also brand on each barrel or half barrel, tierce or half tierce of Pork or Beef so inspected by him, the month and year in which it was inspected, with the net weight and quality of the Beef and Pork so packed and examined: and for such inspection and branding the said Inspectors, respectively, shall be entitled to receive of and from the person who may have submitted the same for inspection, for each and every barrel and half barrel, tierce or half tierce, respectively, of Beef or Pork so inspected, salted, packed, pickled and branded, the sum of one shilling, currency, for each barrel, and seven pence half penny, currency, for each half barrel, the sum of one shilling and six pence for each tierce, and the sum of eleven pence for each half tierce, exclusive of cooperage and repairs, the charge, for which said cooperage and repairs shall not exceed six pence per barrel or half barrel, tierce or half tierce and in consideration of which all barrels or half barrels, tierces or half tierces shall be delivered in good shipping order; and such fee or allowance shall be paid by the owner or consignee of such Beef or Pork before it shall be removed; and as soon; as any Beef or Pork shall be inspected, a certificate or bill of Inspection shall be furnished by the Inspector or Assistant Inspector, without fee or reward, specifying neatly and legibly the quantity of Beef or Pork so delivered to him and the owners mark or marks thereon, and the quantities and qualities ascertained by inspection, and the charges thereof: and if any Inspector or Assistant Inspector shall, knowingly and wilfully, give an untrue or incorrect certificate of the quantity or quality of any Beef or Pork by him inspected, or shall give such certificate without a personal examination and inspection of such Pork or Beef, he shall thereby incur a penalty of twenty pounds, currency, for each offence, and be dismissed from his office and declared incapable of ever after following the same: Provided always, that no Beef or Pork which shall have been so branded and inspected in one month or year, and re-inspected and repacked in another, shall bear any other brand of the year and month than that originally affixed to it; and all the said brand marks shall be branded on one head of the barrel or half barrel, tierce or half tierce: Provided always, that in all cases where any Beef or Pork shall have been sold subject to inspection, the person applying to the Inspector to have the same inspected shall be entitled to reimbursement of the price of inspection from the vendor, if such applicant be not himself the vendor, or unless an express stipulation to the contrary shall have been made at the time of sale, or of the agreement to submit the Beef or Pork to inspection: Provided also that any such agreement shall imply a warranty that all the

requirements of this Act have been complied with, as well with regard to the provisions to which it relates, as to the vessels in which they are contained, and the marks upon such vessels.

XII. And be it enacted, that all such brand marks as aforesaid, shall be large and legible, and it shall be the duty of each and every Inspector of Beef and Pork to govern himself, so far as may be possible, by one uniform standard of quality for each description of Beef and Pork, and such Inspectors are hereby required to brand all marks required by law upon barrels or half barrels, tierces or half tierces of Beef or Pork, within a space not exceeding fourteen inches long by eight inches broad on each of the casks inspected by them, under a penalty of twenty pounds, currency, for each barrel or half barrel, tierce or half tierce inspected and not branded, or otherwise branded than is required by this Act.

XIII. And be it enacted, that no Inspector of Beef and Pork shall, when he shall inspect any Beef or Pork, at the store hereinbefore required to be kept by him for the purpose, charge any storage thereon, unless the same shall have been left in his store more than three days after he shall have delivered to the proprietor or consignee thereof a notice of the same having been inspected, or have delivered an inspection bill thereof to such proprietor or consignee.

XIV. And be it enacted, that no Inspector of Beef or Pork shall suffer the same, if left in his charge after it shall have been inspected, to be exposed to the heat of the sun or inclemency of the weather longer than six days, under the penalty of ten pounds, currency, for every such offence; and every Inspector who shall neglect to provide a suitable store in a convenient situation, shall upon complaint being made of the same, and after conviction, incur a penalty of twenty shillings per day for every day he shall have neglected to provide himself with such store after his appointment as Inspector.

XV. And be it enacted, that nothing in this Act shall be construed to extend to prevent any Inspector of Beef and Pork appointed under this Act, from furnishing salt, saltpetre or barrels or half barrels, tierces or half tierces, if necessary, but it shall be optional with the proprietor or consignee of such Beef or Pork, to furnish such salt, saltpetre, barrels or half barrels, tierces or half tierces himself, should he see fit, whether the same be for new packing or to replace unsound, old packages or bad salt, and whether the same be at the stores of the Inspector or of such proprietor or consignee.

XVI. And be it enacted, that if any dispute shall arise between any Inspector or Assistant Inspector to be appointed by virtue of this Act, and the proprietor or possessor of any Beef or Pork by him inspected, with regard to the quality and condition thereof, or relating in any respect to the same, then upon application, by either of the parties in difference, to any one of Her Majesty's Justices of the Peace for the District in which such Inspector or Assistant Inspector shall reside, the said Justice of the Peace shall issue a summons to three persons of skill and integrity, one of whom shall be named by the Inspector or Assistant Inspector, another by the proprietor or possessor of the Beef or Pork, and the third by the said Justice of the Peace, (who failing the attendance of either of the parties in difference is hereby authorized and required to name for him) requiring the said three persons immediately to examine the said Beef and Pork and report their opinion of the quality and

condition thereof under oath, (which oath the said Justice of the Peace is hereby authorized and required to administer) and their determination or that of a majority of them made in writing shall be final and conclusive, whether approving or disapproving the Judgment of the Inspector or Assistant Inspector, who shall immediately attend to and conform himself thereto, and brand or cause to be branded each and every barrel or half barrel, tierce or half tierce of the qualities or condition directed by the determination aforesaid: and if the opinion of the Inspector or Assistant Inspector be thereby confirmed, the reasonable costs and charges of re-examination (to be ascertained and awarded by the said Justice of the Peace,) shall be paid by the said proprietor or possessor of the Beef or Pork, if otherwise, by the Inspector or Assistant Inspector.

XVII. And be it enacted, that if any Inspector or Assistant Inspector, so to be nominated or appointed shall refuse or neglect, on application to him made, personally or by writing, left at his dwelling house, store, office, or warehouse on any lawful day between sunrise and sunset, by any proprietor or possessor of Beef or Pork (such Inspector or Assistant Inspector not being at the time of such application employed in inspecting Beef or Pork elsewhere) immediately, or within two hours thereafter, to proceed to such inspection, he shall, for every such neglect or refusal, forfeit and pay to such person so applying, on conviction thereof before any one Justice of the Peace, on the oath of one credible witness, other than the informer, the sum of five pounds, currency, over and above all the damages occasioned by such refusal or neglect, to the party complaining.

XVIII. And be it enacted, that on the head of any barrel or half barrel, tierce or half tierce containing any thin, rusty, measley, tainted, sour or unmerchantable Pork, or unmerchantable or spoiled Beef, branded "Rejected" in consequence of its being so, the true character both as to quality and condition of such Pork or Beef shall also be marked with black paint; and it shall be the duty of each Inspector, appointed under this Act, to certify, whenever required, the quality of any Beef or Pork by him inspected, the state and condition thereof, and the packages containing the same, specifying the extent of damage appearing on inspection, and the apparent cause thereof, whether by exposure, injury in transportation or from the original packing or putting up of such Beef or Pork, and also specifying the brands, or other marks, upon the casks or packages inspected, and the name of the owner or possessor thereof.

XIX. And be it enacted, that from and after the passing of this Act, each and every barrel and half barrel, tierce or half tierce containing Beef and Pork inspected in this Province, shall be made of good seasoned white oak staves, and the heads not less than three quarters of an inch thick, and each stave on each edge at the bilge shall not be less than half an inch thick when finished for barrels, nor less than three quarters of an inch thick when finished for tierces, and the wood of half barrels, or of half tierces shall be in the same proportion to their size, and shall in both cases, be free from every defect: each barrel and half barrel, tierce or half tierce shall be hooped and covered two thirds of the length with good oak, ash, or hickory hoops, leaving one third in the centre uncovered: and each barrel, or half barrel, tierce or half tierce shall be bored in the center of the bilge with a bit of not less in diameter than one inch, for the reception of pickle; each barrel shall be not less than twenty seven inches, nor more than twenty eight inches and a half long, and the contents of each barrel in which Beef shall be packed or re-packed shall not be less than twenty eight gallons, nor more than twenty nine gallons, wine measure, and the contents of each

barrel in which Pork shall be packed or re-packed shall not be less than thirty gallons nor exceed thirty one gallons, wine measure, each tierce shall not be less than thirty inches, nor more than thirty one inches long; and the contents of each tierce in which Beef shall be packed or re-packed, shall not be less than forty four gallons, nor exceed forty five gallons, wine measure; and the contents of each tierce in which Pork shall be packed or re-packed shall not be less than forty five gallons, nor exceed forty six gallons, wine measure, and half barrels or half tierces in which Beef and Pork shall be packed and re-packed shall severally contain half the number of gallons above mentioned, and no more, and it shall be the duty of the Inspector or Inspectors appointed under this Act to examine carefully and ascertain the sufficiency of each barrel, and half barrel, tierce or half tierce before branding the same, and to brand none with regard to which the requirements of this Act have not been complied with.

XX. And be it enacted, that the salt which shall be used in the packing and re-packing of Beef and Pork inspected and branded, under the authority of this Act, shall be clean St. Ubes, Isle of May, Lisbon, Turks Island, or other coarse grained salt of equal quality: and every barrel of fresh Beef or Pork shall be well salted with seventy five pounds, and every tierce with one hundred and twelve pounds, of good salt, as aforesaid, exclusive of a sufficient quantity of pickle as strong as salt will make it; and to each barrel of Beef and Pork shall be added four ounces, and to each tierce six ounces, of saltpetre; and each half barrel, or half tierce of fresh Beef and fresh Pork shall be salted with half the quantity of salt and saltpetre above mentioned, with a sufficiency of pickle; and in all cases of packing and re-packing Beef and Pork to be inspected and branded under the authority of this Act, the Inspector is hereby authorized to use salt, saltpetre and pickle in his discretion.

XXI. And be it enacted, that all Beef which an Inspector shall find on examination to have been killed at a proper age and to be fat and merchantable, shall be cut into pieces as nearly square as may be, not more than eight nor less than four pounds weight, and shall be sorted and divided for packing and re-packing in barrels, half barrels, tierces and half tierces into four different sorts, to be denominated respectively, "Mess," "Prime Mess," "Prime" and "Cargo Beef:" Mess Beef shall consist of the choicest pieces only, that is to say, Briskets, the thick of the Flank, Ribs, Rumps and Sirloins of Oxen, Cows or Steers, well fattened; and each barrel or half barrel, tierce or half tierce containing Beef of this description shall be branded on one of the heads with the words "Mess Beef:"—Prime Bless Beef, shall consist of pieces of meat of the second class, from good fat cattle, without shanks or necks; and barrels and half barrels, tierces and half tierces containing Beef of this description shall be branded on one of the heads thereof, with the words "Prime Mess Beef:"—Prime Beef shall, consist of choice pieces of fat cattle, amongst which there shall not be more than the coarse pieces of one side of a carcass, the houghs and neck being cut off above the first joint; and barrels and half barrels, tierces and half tierces containing Beef of this description shall be branded on one of the heads with the words "Prime Beef:"—Cargo Beef shall consist of the meat of fat cattle of all descriptions of three years old and upwards, with not more than half a neck and three shanks (with the houghs cut off above the first joint,) and the meat otherwise merchantable; and barrels and half barrels, tierces and half tierces containing such Beef shall be branded on one of the heads "Cargo Beef:"—and each barrel in which Beef of either of the foregoing descriptions shall be packed or re-packed, shall contain two hundred pounds of Beef,

and each half barrel one hundred pounds, each tierce three hundred pounds, and each half tierce one hundred and fifty pounds.

XXII. And be it enacted, that all Pork which an Inspector shall find, on examination, to be fat and merchantable, shall be cut in pieces as nearly square as may be, and not exceeding six nor less than four pounds weight, and shall be sorted and divided into four different sorts, to be denominated respectively: "Mess," "Prime Mess," "Prime," and "Cargo Pork"; Mess Pork shall consist of the rib pieces only, of good hogs not weighing less than two hundred pounds each, and barrels and half barrels, tierces and half tierces containing such Pork, shall be branded on one of the heads, "Mess Pork": Prime Mess Pork shall consist of the pieces of good fat hogs not weighing less than one hundred and ninety pounds each, the barrel to contain the coarse pieces of one hog only, that is. to say, two half heads, (not exceeding together sixteen pounds in weight) with two shoulders and two hams and the remaining pieces of a hog, the tierce to contain the relative proportion of heads, shoulders and hams, and the remaining pieces of one hog and a half hog; and barrels and half barrels, tierces and half tierces containing Pork of this description shall be branded on one of the heads "Prime Mess Pork:"—Prime Pork shall consist of the pieces of good fat hogs, not weighing less than one hundred and fifty pounds each, the barrel to contain the coarse pieces of one hog and a half only; that is to say: three half heads, (not exceeding together twenty four pounds in weight,) three hams and three shoulders, and the remaining pieces of a hog, and a half hog, the tierce to contain the relative proportions of heads, shoulders and hams, and the remaining pieces of two hogs and a quarter of a hog; and each barrel or half barrel, tierce or half tierce containing Pork of this description shall be branded on one of the heads "Prime Pork:"—Cargo Pork shall consist of the pieces of fat hogs, weighing not less than one hundred pounds each, the barrel to contain the coarse pieces of not more than two hogs, that is to say: four half heads, (not exceeding together in weight thirty pounds,) four shoulders and four hams, and the remaining pieces of two hogs, and shall be otherwise merchantable Pork, the tierce to contain the relative proportions of heads, shoulders and hams and the remaining pieces of three hogs; and the barrels and half barrels, tierces and half tierces containing Pork of this description shall be branded on one of the heads, "Cargo Pork;" but in all cases the following parts shall be cut off, and not packed, namely, the ears close to the head, the snout above the tusks, the legs above the knee joint, the tail shall also be cut off, and the brains, tongue and bloody grizzle taken out: And each barrel in which Pork of any of the foregoing descriptions may be packed or re-packed shall contain two hundred pounds, and each tierce three hundred pounds, and each half barrel or half tierce one half those quantities, respectively, of the several kinds and qualities of Pork as aforesaid, and shall be branded accordingly.

XXIII. And be it enacted, that no Inspector or Assistant Inspector of Beef and Pork shall directly or indirectly trade or deal in Beef or Pork, or be concerned in such trade whether by buying, bartering or exchanging any live or dead cattle or hogs, with a view to pack the same or get them packed, or by buying, bartering or exchanging Beef or Pork when packed, nor shall be purchase Beef or Pork of any description, otherwise than for the use and consumption of his family, under a penalty of fifty pounds, current money of this Province, for each and every offence, and on pain of being removed from office.

XXIV. And be it enacted, that if any packer of Beef or Pork or any other person or persons whomsoever shall, with a fraudulent view, or intention, efface or cause to be effaced or obliterated from any barrel or half barrel, tierce or half tierce of Beef and Pork having undergone inspection, all or any of the Inspector's brand marks, or shall counterfeit any such mark or marks, or impress or brand the same on any barrel or half barrel, tierce or half tierce of Pork or Beef, or shall empty or partially empty any barrel or half barrel, tierce or half tierce of Pork or Beef branded after inspection, in order to put into the same other Beef or Pork, or shall use for the purpose of packing any Beef or Pork, old barrels or half barrels, tierces or half tierces without destroying the old brand marks before offering the same for sale or exportation, or, not being an Inspector or Assistant Inspector, shall brand any Pork or Beef with the Inspector's brand marks, such person so offending shall, for every such offence, incur a penalty of fifty pounds, currency; and any Inspector or Assistant Inspector who shall inspect or brand any Beef or Pork, out of the limits for which he shall be appointed, or shall hire out his brands to any person whomsoever, or shall connive at or be privy to any fraudulent evasion of inspection of Beef and Pork by others, shall for every such offence, incur a penalty of fifty pounds currency.

XXV. And be it enacted, that nothing herein contained shall be construed to prevent any person from packing for exportation or from exporting any Beef or Pork without inspection, provided such Beef or Pork be packed in tierces or half tierces, barrels or half barrels of the dimensions herein before prescribed for such vessels, respectively, and be marked with black paint or branded on one end thereof with the name and address of the packer, the date and place of packing, the weight and the quality of the provisions contained in each package, nor shall any thing herein contained prevent any person from packing for exportation or from exporting without inspection any Rounds of Beef, Rounds and Briskets of Beef, the meat of young pigs called pig Pork, the tongues of neat cattle, the tongues of pigs, hams of pigs or pig's cheeks, or any smoked or dried meat of any description contained in tubs, casks, or barrels or other packages of any kind, provided each package be marked in the manner above mentioned; but each and every person who shall export any meat of the kind last mentioned not so marked, as aforesaid, or Beef or Pork of any other kind not so marked or not packed in barrels or half barrels, tierces or half tierces of the dimensions herein before prescribed, shall thereby incur a penalty of twenty shillings, currency, for each and every barrel or half barrel, tierce or half tierce, tub, cask or other package with regard to which the provisions of this section shall be contravened, and such penalty shall be recovered and applied in the manner provided with regard to the other penalties, imposed by this Act.

XXVI. And be it enacted, that all fines, penalties and forfeitures imposed by this Act, not exceeding ten pounds sterling, shall be recoverable, with costs, in a summary way before any two of Her Majesty's Justices of the Peace of the District, and may in default of payment, be levied by warrant of distress, to be issued by such Justices, against the goods and chattels of the offender, and when the same shall exceed the sum often pounds sterling, they shall be sued for and recovered by Civil Action before any Court of competent jurisdiction, and levied by execution as in the case of debt: and one moiety of all such fines and forfeitures (except such as herein before directed to be otherwise applied) when recovered, shall be immediately paid into the hands of the Treasurer of the City, Town or Place wherein the suit, action or prosecution shall have been brought, and shall

remain at the disposal of the Corporation of the City, Town or Place, respectively, for the public uses thereof, and the other moiety shall belong to the person who shall sue for the same, unless the action be brought by any Officer of such Corporation, in which case the whole shall belong to the Corporation for the uses aforesaid.

XXVII. And be it enacted, that if any action or suit shall be commenced against any person or persons for any thing done in pursuance of this Act, or contrary to the directions thereof, such action or suit shall be commenced within six calendar months next after the matter or thing done or omitted to be done, and not afterwards, and the defendant or defendants in such action or suit may plead the general issue and give this Act and the special matter in evidence, at any trial to be had thereupon, and that the same was done in pursuance and by the authority of this Act; and if it shall appear so to have been done, then the Judgment shall be for the defendant or defendants, and if the plaintiff shall be non-suited or discontinue his action after the defendant or defendants shall have appeared, or if Judgment shall be given against the plaintiff, the defendant or defendants shall and may recover treble costs and have the like remedy for the same as defendants have in other cases by law.

XXVIII. And be it enacted, that the foregoing enactments of this Act shall have force and effect upon, from and after the first day of January, in the year of our Lord one thousand eight hundred and forty two and not before.

XXIX. And be it enacted, this Act shall continue in force until the first day of January, in the year of our Lord one thousand eight hundred and forty eight, and to the end of the next Session of the Provincial Parliament and no longer.